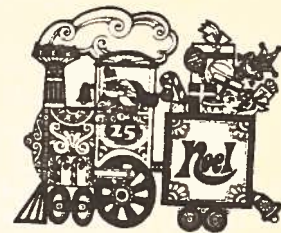




THE

# FSA NEWS



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VOL. 1 NO. 2

This, the second issue of the 78-79 Faculty and Staff Association Newsletter is brought to you with the co-operation of the FVC student newspaper UPBEAT. I would like to thank Upbeat editor Norm Smookler and business manager Paul Thiessen for their help and advice.

The focus of this newsletter is on Bill 82, and Minister Pat McGeer's visit to Fraser Valley College. Under the heading 'Getting McGeered', former Contract and Agreements Committee Chair Paul Herman has written a lively and witty attack on some of McGeer's assertions. These are reported under 'Highlights'. FSA President Leslie Panno gives a clear account of the meaning of Bill 82 and some of its implications for the union, and Jack Gaston explores the dichotomy of Professional/Trade unionist in his article

## 'Unions and the Professional'

The report of an interview with Larry Blake gives the employer's view of the problems of administering under Bill 82, and I think all in all, by the time you've finished reading this newsletter, you'll know more about the College's Act than a lot of people in the Ministry of Education.

Please respond and react to anything in the newsletter. I would be delighted to receive letters to the editor for the February '79 issue. Meanwhile, have a Merry Christmas, and be sure and come to the FSA Christmas dance December 16.

Communications Chair  
Laura Neame

## GETTING McGEERED

by Paul Herman

When the Honourable Patrick McGeer commenced his remarks, it was evident that we were in for a treat: he began by praising the facilities at the Abbotsford campus. (No, really, he was serious!). Listening to his responses to questions from the audience, it was difficult to know where to start challenging him. Given the reasoning ability shown by McGeer at this meeting, let us hope McGeerhethoric does not become part of the core curriculum.

The following are a few responses to his remarks.

McGeer's claim is utterly fatuous that making the college Boards legally autonomous makes them autonomous in fact. Boards will make the decisions the Ministry allows them to make within very definite limits. The most important limit is, of course, financial. For example, the Board is supposedly free to set student fees. However, in order to gently suggest that a Board increase student fees, the Ministry need only cut the college's proposed budget so that the Board is left the choice either of current college programs, courses, and employees, or of increasing student fees.

Of course, according to McGeer, the college can also rely on "individual donors, fund drives, and municipalities" for funds. Here we have the philosophy of the Ministry of Human Resources applied to education: we can always rely on charity. This attitude is also reflected in McGeer's claim that if a college does not offer a program, or charges high fees, students can always go elsewhere. Of course they can, if they have the money to pay university tuition and to live away from home. In fact, only a very small percentage of FVC students are drawn from local students who would have gone to the universities if FVC did not exist. A major reason for the establishment of community colleges was to democratize post-secondary education by making it available to those without the financial means to go to the coastal universities. Please remember McGeer's evident concern for such students the next time the Ministry tells us that the goal of Distance Education is to democratize university education. (McGeer also invoked the Socratic model in defence of traditional forms of higher learning: try engaging in a Socratic dialogue with your video-cassette.

'McGEERED' CONTINUED ON PAGE 3.



PAT McGEER ADDRESSES MEDIA AT FVC

## HIGHLIGHTS

MINISTER OF EDUCATION PATRICK McGEER VISITED FRASER VALLEY COLLEGE ON FRIDAY, NOVEMBER 24 IN ORDER TO DESIGNATE THE COLLEGE UNDER THE COLLEGES AND PROVINCIAL INSTITUTES ACT (BILL 82). NOTICE OF THE MEETING BY THE MINISTRY WAS SHORT, AND SO ONLY A FEW F.S.A. MEMBERS WERE ABLE TO ATTEND, HOWEVER, McGEER DID ANSWER A NUMBER OF QUESTIONS PUT TO HIM BY F.S.A. MEMBERS AND STUDENTS. SOME OF THE HIGHLIGHTS ARE GIVEN BELOW.

### ON THE NEW COLLEGE BOARD:

Decisions will continue to be made on the local level by local people. They are now an independent corporation who make their own decisions.

### ON THE NEW BUDGET FORMAT:

The local College Boards will be given a certain amount of money by Victoria. If this is insufficient the remainder can be collected from fees, individual donors and fund drives. The local College Boards

'HIGHLIGHTS' CONTINUED ON PAGE 4.



# WHAT YOU ALWAYS WANTED TO KNOW ABOUT THE COLLEGES ACT

by LESLIE PANNO

The College's and Provincial Institutes Act, or Bill 82, is an attempt by the Government to establish new methods of governing and regulating the operations of colleges, universities, and other post-secondary educational institutions in the province. As it stands now, the entire Act is not yet law; only the sections of it which have been proclaimed are law.

Previously, all post-secondary institutions came under the jurisdiction of the Public Schools Act, which Bill 82 supersedes. The college or institution becomes legally governed by Bill 82 at the moment of "designation", which for us occurred on November 24th when McGeer visited the College. Basically, designation involves the naming of an institution as one which comes under Bill 82 and the specification of the area which it covers. Our name was changed from Fraser Valley Technical and Vocational Institute to Fraser Valley College, and the area we cover remains the same as before.

Now that we are governed by the Act, we have become Crown corporations outside the Public Service. The Act says a corporation is "an agent of the Crown in right of the province and its powers may be exercised only as an agent of the Crown". One of the results of considering us corporations is that the government will no longer use local taxes to finance post-secondary institutions, but will provide 100% funding from Victoria.

Bill 82 establishes three councils - the Occupational Training Council, the Academic Council, and the Academic Advisory Council - to oversee program development and budgeting in the three broad program areas. Members to these councils are all appointed by the Ministry, and the councils have the power to make all final decisions regarding financial matters and programs of instruction in post-secondary institutions. In this way the College Boards (formerly the College Councils) have been stripped of their powers, for they can now not approve the settlements they make or ratify their own decisions, because budget approval and approval for courses of instruction rests with these councils and the Ministry.

One of the more contentious sections of the Act is Part V, Personnel Relations. In this section are set out three possible methods by which the employees of a college might establish a collective agreement governing salaries and working conditions with its employer, the College Board. One of the choices is to remain a certified trade union, as we are now, and the others are non-union alternatives. Division II, the Fair Comparison Method, is the non-union alternative the Ministry seems to favour, and it has been proclaimed so that a college could now choose this method of bargaining if it so desired. Division II is basically a "gentleman's agreement" and the government has tried to promote it as being a more suitable method of dealing with bargaining for "professionals" who are above being trade unionists. Both Division II and Division III, the Bilateral Agreements Method, do not come under the Labour Code of B.C.

Section 33 of the Act requires a college, if it chooses to remain a trade union, to undergo a recertification vote conducted by the Labour Relations Board within 60 days of designation to determine whether or not it may remain certified. If a majority of employees do not vote for recertification, they must then choose Division II or III. The Ministry has never clarified which employees would vote under this section, such as regular members, part-timers, and sessionals. Fortunately this section has not yet been proclaimed, and does not apply at this time.



FSA PRESIDENT LESLIE PANNO LISTENS TO McGEER

## TALKING ABOUT BILL 82

Principal Larry Blake feels that Bill 82 will not affect faculty and staff participation in the governance of Fraser Valley College. There is already a high degree of participation, in his view, through the College Advisory Council. Blake stated that although this did not provide a direct line to the College Board, its recommendations did go forward to the Board through the Principal. He also said that even if the FSA were to choose Division II (McGeer's 'professional' alternative to the union model), there would be "as much governance as there is now."

Blake commented further on Pat McGeer's speech, stating that McGeer's comparison of community colleges and universities such as Oxford and Harvard was not a valid one. Nor did he feel that this type of model was a desirable one for FVC.

Most of Blake's fire however was saved for the three provincial councils brought into existence by Bill 82. These he considers to be "potentially the most disrupting and damaging part of the act." Blake feels that as each council oversees a different area of college instruction, in terms of budgeting and reporting, the potential for rivalry among the three groups is increased.

Cross comparisons with other institutions giving similar programmes provides the Ministry with a lot of valuable information, but also means that each area of FVC could be competing informally for a fair slice of the budgeting pie, rather than continuing the friendly collegial approach to budget development.



McGeer claims that arbitrary budget decisions will no longer be made in Victoria. Instead, the Occupational Training Council, the Management Advisory Council and the Academic Council will make these decisions. But we need to look carefully at the operation of these councils. For example, the Academic Council reviews proposed budgets from the colleges. But its budget recommendations then go to the Universities Council which reviews the requests before making its recommendations to the Ministry, which still makes the final decision. So the budget requests of the colleges are screened by the Universities Council whose mission is the prosperity of the universities, and the universities compete with the colleges for students. But I'm sure there's no possibility of arbitrary decisions from such a disinterested body as the Universities Council.

Much of McGeer's time was spent insisting that college instructors cannot be both trade unionists and professionals. He claimed that this hypothesis, which he frequently reiterated as fact, had not been tested, not even in the last ten years of unionized faculty at B.C. colleges! (The faculty and staff at FVC are unionized. Have you noticed their lack of professionalism?) My colleague, Mr. Gaston, has pointed out some problems with McGeer's position. Let me point out some more. The supposed dichotomy between unions and professionalism is completely bogus. For example, the Carpenters' Union is professionally concerned that its members serve an apprenticeship so that they are well-qualified for their work. How does this concern differ from the concerns of their professional colleagues in law and medicine? Of course, if McGeer gave teachers the same control over entry into their profession as doctors and lawyers have, the old craft guild model might be more attractive: whoever controls the supply controls the price.

McGeer says that unions are a bad model from the old days of "the industrial revolution and Samuel Gompers." However, according to McGeer, the "colleagial...hierarchical" model of the universities is traditional and right, even though it goes back to the old days of feudal Europe. As I sat listening to McGeer's ratiocinations, I could hear a nineteenth century industrial baron whispering the analogue of McGeer's argument into my ear: "Look, you workers, we have a wonderful, traditional model in this factory: I give the orders, and you take them or exercise your freedom to quit and starve. Now you want to give up these noble human freedoms by forming a union. For shame!"

McGeer's other main argument against faculty unions seemed to be that it was unprofessional for employees of the Ministry of Education to be governed by legislation under the Ministry of Labour.

Does the Ministry of Forests feel the same way about the I.W.A.? We have already seen this philosophy in action. McGeer doesn't think that public school teachers should be governed by the Criminal Code and the courts. For example, if the courts fail to convict a teacher of possession of marijuane, the McGeer still wants to be able to convict and fire the teacher for that heinous sin.

The capstone of McGeer's musings about the glories of professionalism was that he couldn't tell us what a professional college employee is, anyone he doesn't want to be unionized?

A final issue upon which McGeer's neurological concatenations were brought to bear. He clearly showed his regard for college students, stating that students were excluded from membership on college Boards in order to spare them "the obligation to attend meetings and to put in the amount of time and attempting to participate in things that you don't need to participate in and which can sap the time and energy of the students...not to encourage anybody to spend longer in a college than they really need to." Is this a commitment to lifelong learning speaking to FVC students, the majority of whom are part-time and many of whom also have jobs? Or is it again the philosophy of this government that is always on the look-out for free-loaders and malingers, idling away their time and government resources in unproductive endeavours?

McGeer wants only people on the Boards who "can serve over a period of time and develop an expertise in board matters." Apparently, it is alright to have doctors, lawyers, department store managers, and other business persons on the Board, many of whom work far more than forty hours per week. But students, with an average age of twenty-seven at FVC, are incapable of devoting their time to college governance by sitting on the Board. McGeer makes the patronizing decision as to what is best for students, implying that anyone who is a student is not able to take responsibility for their own decisions. From what I have seen in the courses I teach, this exclusion of students deprives the Board of some of its most capable potential members from all sectors of our community.

Given this evidence of McGeer's attitude toward college students, I, as a faculty member, hope students remember that evidence when McGeer makes use of the obvious opportunities under the new Act to play off students against faculty, for example, claiming fee increases are necessary only when greedy, unionizee, unprofessional faculty make outrageous demands. McGeer's exclusion, proclaim that he thinks as little of college students and of the college community as he does the college instructors.

## ANNOUNCEMENT -

The FSA will be hosting a

CHRISTMAS DANCE

on

December 16th

beginning at

20:00

in the

Lounge of the Chilliwack Campus.



All FVC

faculty, staff, and administration  
are welcome.

Tickets are

\$6 per person or \$12 per couple,

and can be purchased from

Bev Harnett in Abbotsford and Victoria Nowell in Chilliwack.



# UNIONS AND THE PROFESSIONAL

by JACK GASTON

It is not incompatible with their professional status for college faculty members to belong to a union. I have come to this conclusion after listening to Pat McGeer's reasoning during his recent visit, and am convinced that strong reasons exist for disputing his opinion.

As I interpret the Minister's argument, he feels that a unionized faculty undermines the collegial atmosphere and productive relationship which exists between faculty, and administration. This will, in his view, fracture the traditionally co-operative atmosphere of a learning institution which is unprofessional. It is to be noted that the Ministry's position is based upon the curious assumption that to regularize labour relations according to government legislation is to provoke confrontation.

In my opinion, for a faculty to unionize is to suggest consequences the very opposite of those anticipated by the Ministry of Education. The provisions of the labour legislation allow for the mediation and arbitration of negotiations and other types of labour disputes by a neutral third party. Without these provisions, an unresolved dispute that reaches a stalemate is much more likely to result in confrontation and bitterness, as there is no neutral, yet expert, third party who can resolve the dispute. In summary, the operation of labour legislation offers a greater chance of defusing a potential confrontation with reasonable dispatch, and of promoting an acceptable settlement than would otherwise be the case.

Moreover, faculty members, like any other employees, are going to be more secure and therefore more productive if they can be confident that their wages and working conditions are determined through a precise bargaining process that exhausts all means of reaching an agreement short of a strike. The provisions of the Labour Relations Act do this.

Given that disputes over labour relations will arise, the collective bargaining model offers the greatest opportunity for preserving the collegial atmosphere. This is necessary if high standards of teaching, scholarship and community services are to be maintained. I would contend therefore that it is an act of professionalism for faculty to unionize.

It remains to be seen whether the operation of labour legislation in a college or university provokes the confrontation expected by the Ministry, or promotes a co-operative and more productive environment. The evidence should not be long in coming; for while B.C. university teachers are prohibited from unionizing, B.C. college faculties as well as other university and college facilities across Canada have adopted the union model. The most recent example to my knowledge is the University of Saskatchewan where faculty and administration recently implemented their first collective agreement.

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## HIGHLIGHTS

CONTINUED FROM P. 1

will be able to set student fees at any level they like. They will have the opportunity to develop a budget and have a case properly reviewed in conjunction with their colleges.

### ON STUDENT PARTICIPATION ON THE BOARDS:

Student participation has been limited to the Programme Advisory Committee. "The obligation to attend meetings has been somewhat limited. Attempting to participate in things that you don't need to participate in...can sap the time and energy of the students. We're not ambitious to place that temptation in front of anybody, or encourage them to spend longer at college than they really need to."

### FACULTY UNIONS IN THE COLLEGES:

The trade union movement has grown up strictly on the adversary position. That is obviously not the traditional educational model. You've got a collegial atmosphere in which there is not an adversary relationship. The question is "will the traditional educational methods be followed or not."

### ON DIVISION II & III:

The Labour Relations Act is a bill designed for the trade union movement and the manner in which it operates. The Colleges and Provincial Institutes Act (Bill 82) has built into it a different route by which individuals would not be under the jurisdiction of labour, but under a specific act of the Ministry of Education, and "therefore could proceed in the same professional way that is traditional for the universities."

### ON THE DEFINITION OF A PROFESSIONAL:

"I would have to get some legal advice on that. It doesn't spell it out in the Act."

"I'm advised that the LRB would handle the vote (on certification) and would be the ones to interpret it."

"We obviously should have provided more carefully when we wrote the act, and maybe we'll consider an amendment to it to clarify that point."

### ON CHOOSING TO REMAIN A UNION:

No pressure will be put on colleges should they wish to remain trade unionists, "that's certainly not going to be interfered (with) by our legislation, or by myself as a minister."

At present, the Ministry of Education is not planning to proclaim the section of the Act which would force a college union to recertify or choose to decertify. "We said, alright, we'll open the door to you to become professional, but won't proclaim that section that will force you to make a choice."

### ON PROFESSIONAL VS. TRADE UNIONISTS:

The Ministry of Education is developing its own legislation for its own professionals and will "obviously go down the professional and traditional educational route." But for colleges certified under the Labour Relations Act, "we have to develop a different set of policies and a different response. Colleges that are unionized are out from under us."